COBBETT'S WEEKLY POLITICAL REGISTER.

Vol. XIV. No. 14.] LONDON, SATURDAY, OCTOBER 1, 1808. [Price 10d.

SUMMARY OF POLITICS.

Convention in Portugal.——When this is the subject of discussion, or remark, I can take no *motto*; for I have endeavoured, in vain, to recollect a transaction, feigned or real, of so detestable a character. History supplies us with nothing like it; nor has the imagination of the poet, as far as I am acquainted with poetical works, yet invented a set of acts and circumstances bearing any resemblance to those connected with this atrocious Convention.——The public have felt, and do feel, properly upon the subject. Indignation so universal was certainly never expressed upon any former occasion within the memory of man. The country people, who are, in general, very slow in moving, and amongst whom there are but few political events that are capable of exciting an interest sufficient to produce a warmth of expression, have been completely roused by this event; and, even down to the very labourers, they vent their execrations upon the heads of the miserable authors.——It is right that the ill-treated, the betrayed, the sacrificed, Portuguese and Swedish nations should know, that such is the feeling of the people of England; that in many places the bells of the churches have been rung muffled, as upon occasions of public mourning; that many of the public prints have assumed the signs of mourning; and that every public paper in London, one excepted, and that one the property of a company of persons chiefly *East Indians*, has reprobated, in the most decided manner, and in a language evidently coming from the heart, all the articles of the Conventions, and especially those articles which contain stipulations injurious to the interests and the honour of our allies. There is a paragraph in the *Courier* newspaper of yesterday, which I cannot refrain from putting upon record, as amongst the means, which may, I hope, in time, wipe away this national infamy.——"In this period of general humiliation and disgrace, the provincial papers vie with those of the metropolis in the expression of their surprize, their sorrow, and their indignation. Many that we have received have encircled the Extraordinary Gazette *with a broad black line*. One has prefixed to it *several gallowses, with bodies hanging to them.* Some cannot find words strong enough to express their rage: others burst forth into such a strain as this: "Oh England! unhappy England! all thy struggles are vain! Thou mayest assemble thy courts-martial, but, it is all in vain! Some power, more than human, smites thy commanders with blindness, as, at the prayer of Elisha, God smote the Syrians. Oh, thou incomprehensible Being! in whose hands are the destinies of empires, if thou hast doomed this kingdom to sink beneath the overwhelming power of France, yet let not the wisdom of her sages, the piety of her saints, the blood of her heroes and her martyrs, plead with thee in vain. Let her not fall the victim of baseness! but if she must sink for ever into the ocean of time, suffer a solitary ray of glory to mark the spot where once was England!"—Let Europe and the world judge from these specimens how deeply the whole empire feels and mourns its irretrievable disgrace."——Yes, I hope, that Europe and the world will acquit the *people* of England, at any rate, of any share in this unparalleled infamy. They hesitated not, one moment, to express their indignation; it came forth, at once, from every mouth; and the press has been the faithful reporter and recorder of what was uttered by the tongue. The people of England and the people of Portugal have both alike been injured; they have both been abused; they have both been insulted: but, the former have it in their power to cause *justice* to be done upon their injurers, a power which the latter have not. To shew, therefore, that we are in earnest; to convince "Europe and the world," that our indignation is not feigned; to *prove* our sincerity, we ought, from all parts of the kingdom, to address the king, or to petition him, and, in our addresses or petitions, to implore him to take measures for speedily bringing to trial all those, who may have taken a share in the hated transactions in Portugal. This was the mode formerly pursued by Englishmen, under similar circumstances; this all the world knows we may do if we will; and, if we have not the will to do it; if we have not the spirit to move one inch in the way of practice, the world will give us very little credit for all our fine professions. The

plain state of the case is this: we all say, that our commanders have affixed lasting disgrace upon our country, and have most basely injured and insulted our allies, whereat we express our sorrow and our indignation in words almost too big for utterance; our right to petition the king to cause those commanders to be brought to trial is notorious; and, if we do not exercise that right, upon this occasion, the world will, and ought to, look upon us, not only as hypocrites, but as accessories, after the fact, to the deed which we have cursed, in every form of words in which a curse can be conveyed.——In the City of London, I perceive, that that very public-spirited and excellent man, Mr. Waithman, has given notice of his intention of moving, at the next Common Council, an address to the king, upon the subject. The City of London may, perhaps, give the tone to other places; but, I must confess, that the country appears to me to be very tardy in this respect; much more so than it was in addressing the king, in the tone of congratulation and applause, upon what, amongst other things, this same famous army of ours was *intended* to do. For my part, resolved that no portion of the disgrace, however small, shall adhere to me, I, as a freeholder of Hampshire, hereby invite other freeholders to join me in a requisition to the High Sheriff of the county, to call a county meeting, for the above purpose. I request any freeholders, who may be disposed to join me, to signify such their disposition by letter, directed to me, at Botley, near Southampton. I will go to any part of the county to concert with any five or six other freeholders, if no greater number should offer: or I will do any thing in my power to effect the object in view. I shall be much better pleased to see the thing originate elsewhere, and with leading men in the county; but, if no one at all join me, and if no requisition be made from any other quarter, previous to the *fifteenth of October*, I myself will then make the requisition; and, if a meeting be not thereby obtained, I will then present, in my own name, and in my own person, if possible, a petition to the king for the purpose above-mentioned. Let the infamy fasten where it will, none of it shall stick to me.——Will any one tell me, that, in these military matters, the Crown is to be left to itself; and will any sycophant pretend, that, to interfere in such matters is to encroach upon the royal prerogative? Without resorting to reasoning, or to any of the numerous precedents that might be cited, we know this; all of us have this fact clear in our memories, that it is more than two months, since almost all the counties, cities, and boroughs in the kingdom, did actually address the king upon the subject of the *military measures* he was adopting with regard to Spain and Portugal; they thanked him for his speech, wherein he expressed his intention of aiding the Spaniards and Portuguese; and this, observe, was done with the approbation, and at the notorious instigation, of the ministers of the king. And, shall we not, now that this promised and applauded aid, this aid, for the intention of yielding which the king was thanked; now that this aid has, by what we all deem the misconduct of our commanders, been rendered abortive, after costing the nation sums so immense; shall we not now approach the king with our prayers that he would cause legal and public inquiry to be instituted in order to ascertain to what, if to any, degree those commanders are guilty? This we have a right to do; reason bids us exercise the right; no man, of even the most slavish principles has ever called the right in question; and, if we do not exercise it, in vain shall we have used high-sounding words of sorrow and of rage; for, by the common sense of mankind, we shall be set down as pretenders and hypocrites.

What I have now said, is what I should have said in my last sheet, if I had had time. And, if it would have beenp oper then; if the active, the decided, the practical condemnation of the late Conventions in Portugal, would have been necessary to the restoration of the national character, under the knowledge then possessed by the public, how much more imperious is the call upon us become, now that we are acquainted with facts, of which we were before ignorant, and which render the transaction beyond all comparison more disgraceful to our country and more injurious to our allies than it before appeared to be, though it then appeared to be too bad to admit of reprobation commensurate with its demerits?——It appears, from a publication in the newspapers just received, that the Portuguese Embassador in London has received dispatches from the Regency of Portugal, commanding him to make a strong remonstrance against the Conventions; that the people of Portugal were not less indignant at the terms of these Conventions than the people of England are; that not any Portuguese of any description were consulted upon the subject of the Conventions; and that, so great was the dissatisfaction in Portugal, that apprehensions were entertained, that, if our generals

tempted to suffer the French to carry off their plunder, open and violent opposition would be made by the Portuguese. But, there are other alledged facts of a still more serious nature, which facts I find stated in the Times newspaper of the 26th September, and which, if they shall prove to be well founded, cannot possibly leave a doubt in the mind of any man living, as to the motive, by which Wellesley, at least, was actuated. The facts, as thus given, are, 1. that Wellesley, when he first landed, upon being applied to for the arms, sent out for the use of the Portuguese patriots, refused them, in consequence of which refusal more than three fourths of the patriots were prevented from taking part in the action against the French; 2. that, even those patriots who were armed, were not brought into action, but, on the contrary, in one case a body of 1,500 of them were put aside to make way for a corps of British, and, in another case, during the battle of Vimiera, the whole of the patriot force, under their general FREIRE, was removed to the distance of more than six miles from the scene of action; 3. that no merit has been, by our general, ascribed to any of the individual exertions of the patriots, but, on the contrary, that, in some instances, the merit, due to them, has been given to the English soldiers; 4. that, at the battles so much talked of, there were 18,000 English to 12,000 French troops, and that, while the Portuguese think that victory in such a case was no subject for boasting, they deny, that, the Convention taken into consideration, any *conquest* was achieved; 5. that, just before the last engagement, the patriots having consumed all the bread they had in their train, their general applied to Wellesley for a single day's bread, but that this application was rejected, though the army of the latter had a great abundance, upon which rejection the Portuguese general shortly observed: "then we will fight without bread;" 6. that, as soon as the Convention had placed the forts and capital in our hands, our precious commanders hoisted the British flag in them, as if we had been the principals in the war, nay, as if we had been the re-captors of the country, and the Portuguese people had been consigned over to new-masters, and that this trait of insolence had excited such loud and general expressions of indignation, that our banners were, as it were by compulsion, taken down soon after they were raised —— Upon this last-mentioned fact, this most of all cutting indignity upon the Portuguese nation and their sovereign, the Morning Chronicle has remarked, that it must have proceeded from *insanity*, and that, if verified, the authors ought to be brought home, bled, blistered, and put into dark cells. This is one way of avenging ourselves on them for their mischievous arrogance, their insolent presumption; but, I am not for any thing bearing the resemblance of a jest, upon a subject so serious, so replete with matter of national grief, shame, and disgrace. What! Admitted as *auxiliaries*; received as assistants in the work of deliverance; landing under professions of disinterestedness and *generosity*, we not only make a convention without the advice, without the consent, without the knowledge, of the regency or of the commander of the Portuguese forces or of any Portuguese in authority; but, having so done, we, in virtue of that convention, hoist our flags upon the ramparts of Portugal, with as little regard for the feelings of either the people or their sovereign, as if we had been in the country of the Tanjoreans or the Polygars. And, then to draw down the flags by the way of compulsion. First to raise the emblem of valour for the purpose of base insolence, and then to lower it from motives of fear! Verily, if this be forgiven, the ass of Isacher greatly yields to us in the virtue of patience. Why, the flags, used upon this occasion, ought, if the fact be true, to be burnt by the hands of the hangman, or put to uses the most vile that the imagination can invent.——If, however, the previous facts be true, for which I do not, as yet, take upon me to vouch; if it be true, that the arms were refused, that the patriots were studiously kept in the back ground, that their merits have passed unnoticed, and that a day's bread was refused them in the hour previous to the action; if these facts be true, the hoisting of our flag over their heads is no more than a suitable winding up of the climax of insolent contempt; and the whole series, as well as the concluding act, prove, that, from the outset, it was resolved to treat the Portuguese after the manner, in which we have treated the miserable sovereigns and slaves of the Indian peninsula.

The Portuguese general, FREIRE, has entered a formal Protest against the Conventions made by our generals and admiral, which protest I here insert, as I find it in the Times newspaper of the 26th of September.——"I protest, in general, on account of this treaty being totally void of "that deference due to his royal highness "the Prince Regent, or the government "that represents him; on account of what

" may be hostile in it to the sovereign au-
" thority and independence of this govern-
" ment, and for all that may be against the
" honour, safety, and interests of the na-
" tion: and, in particular, I protest against
" what is stipulated in the following arti-
" cles: —— ARTICLES I, IV, and XII,
" Because these articles determine the sur-
" render of Portuguese fortified places,
" stores, and ships to the English forces,
" without solemnly declaring that this sur-
" render is momentary, and that it is in-
" tended they should be immediately re-
" stored to the Prince Regent of Portugal,
" or the government that may represent
" him, to whom they belong, and in whose
" aid the English forces came as auxilia-
" ries!——ART. XVI. Because it permits
" the residence in Portugal of the indivi-
" duals mentioned in it.——ART. XVII.
" Because it attempts to tie down the go-
" vernment of this kingdom, not to bring
" to justice and condign punishment those
" persons who have been notoriously and
" scandalously disloyal to their prince and
" their country, by joining and serving the
" French party: and, even if the protec-
" tion of the English army should be al-
" lowed to screen them from the punish-
" ment they have deserved, still it should
" not prevent their expulsion, whereby
" this country would no longer have to
" fear being again betrayed by the same
" men.——FIRST OF THE ADDITIONAL
" ARTICLES. This article can by no means
" bind the government of this kingdom, as
" no reciprocal conditions are stipulated.
" ——I protest finally, on account of the
" want of attention to the safety of the
" inhabitants of the capital and its envi-
" rons, nothing having been stipulated in
" their favour to insure their not being
" still vexed and oppressed by the French
" during their stay—not even an equi-
" valent for what is established by Art.
" XVI and XVII, in favour of the French
" and their followers. —— And to these
" heads I limit my protest, in order not
" to make too long a list, passing over other
" objects of less importance, such as the
" concession of 800 horses, which was
" made without considering that they al-
" most all belong to Portugal, and thus can-
" not be considered as property of the
" French; that of the magazines of the
" army, filled at the expence of the coun-
" try, and consequently only belonging by
" fact, not by right, to the unjust occu-
" pants of the country.——(Signed) BER-
" NARDIN FREIRE D'ANDRADE——*Head-
" quarters, at the Encarnation, Sept.* 14,
" 1808."——Now, before we make any remark upon this protest, which, of itself, proves how worthy this general was of being consulted, and of having great deference paid to his opinions and his wishes, I beg leave to recall to the mind of the reader a fact, which he may have forgotten, but which is of great importance as viewed in connection with the facts now come to light. It is this: that, some days after the news of the battle of Vimeira arrived, a report prevailed, that a convention had been made with Junot *by the Portuguese Regency and Commanders*, which convention was described to be nearly what the real convention has turned out to be. This report was stated in all the English newspapers; and, in their comments upon it, they expressed their hopes, that our commanders would not consent to its execution. They called it " a French *trick*;" they expatiated on its invalidity; and they threw out hints not very complimentary to either the *sense*, the *courage*, or the *integrity* of the Portuguese Regency and Commanders. Well, then, this supposed act of theirs, is the real act of our commanders. Good God! where, if these men are not brought to trial, and that speedily, shall we hide our heads?——The protest speaks for itself. It would be useless to go over it in detail; but, there is one thing, of which, from the bare perusal of this paper, the public must, at once, imbibe perfect conviction, and that is, that it is impossible, that there can be any harmony between our generals, our Convention-making Commanders, and the Commanders of the Portuguese forces; and that, if Portugal were again to be attacked by the French, the defence of it, by the forces and the commanders now there, would be a thing not within the compass of probability. Nay; it is not at all improbable, that what has here been supposed may be the least of the mischiefs to be apprehended. It is hardly possible, that, in the necessarily exasperated state of the public mind in Portugal; in that state of mind described to us in pretty authentic intelligence; it is, in such a state of the public mind, hardly possible, that our army should be suffered to remain there, under their present commanders, in security from insult, to say nothing of the danger of actual assault. This being the case, it is matter of some surprize with me, that the ministers have not taken the earliest opportunity of apprizing the public, that they have *recalled* the makers of the Convention; for, that *they have not done it* would be shocking to suppose. Yet, when I think of the partial publication in the Official Gazette; when I

ink of the leaving out of the translation the armistice; and when I observe, that t a word is said, in any of the ministerial pers, about *recalling* the generals, I must fess, that I have my fears of some in- tion being resorted to for the purpose of eening them. That Wellesley cannot be eened *alone* is evident. He must take his e with Dalrymple; nay, my opinion is, t the last-named old gentleman will be e to produce convincing proof, that he s a mere tool in the hands of Wellesley. this be the case, the very bottom of the k of corruption will be stirred up, in or- to bring them all off clear. The first ng to be thought of, however, is the state things in Portugal, where there can be ther peace nor safety as long as the con- tion-making generals remain there; and, it be observed, that, though our minis- s might not be able to prevent the con- sion of the Convention, they will be an- erable for whatever mischief may arise m our Convention-making generals re- ining in possession of the command be- d the earliest moment, at which they it in their power to deprive them of it, er they received the accounts of the meful transactions, of which we have n speaking. Let them, therefore, look this. If they persist in keeping such n in the command, they ought to be, they will be, objects of general exe- tion.——There are, doubtless, many ex- erated reports; but, it is by no means redible, that the Portuguese army may, has been stated in some of the public ts, "have taken a menacing position, and have distinctly intimated to Sir H. Dal- rymple, that they will resist the fulfilment of the Convention; nay, more, that they will consider any movement of the Eng- lish army, with a view to facilitate the embarkation of the French force, as *an hostile act*." If this be so, I wonder how old gentleman felt at the intimation? I nothing dishonourable, nor at all un- , in the Portuguese doing this. They e no parties to the Convention. They er were consulted upon the subject. They invested our generals with no diplomatic ers. They had never put the country er their command. They never recog- ed them either as rulers or representatives. ppose, for instance, the Convention had tained an article recognizing the kingly hority in Junot. Is there any man upon th, who will contend, that the Portuguese uld have been bound to acknowledge him heir lawful sovereign? No: it is clear, , that our generals could not bind them in any thing; that they could stipulate legally for nothing which they had not, out of their own means, and without contravening the rights or the wishes of the Portuguese, the power of fulfilling. Why, good God! suppose they had stipulated to give England to Napoleon, Wellesley's recognized "Em- "peror and *king*;" must we have suffered him to come and take it? The idea is too absurd to be entertained for a moment; yet they had just as much right to give away England as they had to give away Portuguese property.——They must, if the Portuguese resist the fulfilment of their base Convention, be in a fine stew, as the old women call it. I dare say, Sir Hewy would give his mull and his boots into the bargain, had he never quitted Gibraltar; and our dashing "Che- "valier du bain" would part with a trifle, had he remained amongst the tawny slaves of Hindostan, where men are mowed down like wheat-ears.——Should this resistance (which God send!) take place, how the haughty Wellesley must be amazed! He will not be able to treat the Portuguese after the manner of treating the poor souls in India. How disconcerted he must look! I think I see him now. What! the people whom he did not deem worthy of partaking in the glory of his battles, forbid him to execute his Convention!

We have now, amongst the other documents that have come to hand, a letter from Wellesley to the Bishop of Oporto, which letter, when the reader has seen it, will convince him of the truth of all I said, in my last, respecting the participation of Wellesley in the transactions of the 22d of August. It is dated at the camp of Ramahal, on the 24th of August, and its contents are as follows:——"May it please your "Excellency: I have the honour to inform "your excellency, that the army under my "command defeated general Laborde's di- "vision on the 17th instant, and, on the 21st "instant, the whole of the French army unit- "ed, under the command of General Junot, "at Vimiera. The loss of the enemy in "those actions was very considerable. Last "night he sent general Kellermann to confer "with General Sir H. Dalrymple, who con- "cluded an agreement with the said General "for a suspension of hostilities, until the con- "clusion of a Convention for the total evacua- "tion of Portugal by the French troops. This "agreement contains *nothing remarkable*, "with the exception of a provision for secur- "ing the neutrality of the port of Lisbon and "the Russian squadron. Permit me to *congra- "tulate* your excellency on the approaching "conclusion of the misfortunes which have

" so much afflicted your country, and to the " recovery of which your excellency's zeal " and solicitude have so much contributed. " I have the honour to be, with the highest " consideration and respect, your excellen- " cy's most humble and obedient servant, " ARTHUR WELLESLEY."——Now, where are the liars with their " *letters from the* " *army*," and their " *protest*"? There was nothing even remarkable, except the part to which even Cotton would not assent; and he *congratulates* the Bishop upon that, against which his friends here swear that he solemnly protested.——Pray, reader, bear with me, while I trace along the course of these villainous lies; while I ferret out the political vermin that are gnawing at the heart of the country.—On the 16th of September the news of the disgraceful Convention was published in an Extraordinary Gazette. ——By recurring to the newspapers, it will be seen, that, as far back as the 11th, a rumour of the Convention prevailed. On the 12th it was stated that there had been a Convention made; but, that it had been done by the Portuguese Regency; that it was a clever French trick, and that *our* generals were not (no, no, 'faith!) men to be imposed upon by any such device. On the 13th, the Courier had the following remark upon this supposed Convention: " Though we have been unable to trace " this rumour to any authentic source, yet " we must confess that it is *a manœuvre or* " *trick perfectly in the French character.* " Junot might *hope* by such a capitulation " *to get off with his plunder* and *save the* " *Russian squadron*, and he might think " that, however we might object, we could " not refuse to abide by it. Nothing to be " sure would be *weaker* in the Portuguese " Regency, knowing of our approach to " their assistance, than to conclude a Con- " vention of such a nature. The very pro- " posal to capitulate on the part of Junot " would, we should think, have made " them perfectly sensible that he had no " hopes of making an effectual stand against " the British force advancing against him. " Besides, our character as allies, and allies " acting with *such vigour* and DISIN- " TERESTEDNESS, would have dictated " to the Regency the propriety of entering " into no terms *to which we should not be* " *a party and have given our consent.*"—— Reader, does not your blood boil upon reading this? Thus did this paper, unwittingly, but very justly, pass sentence before hand upon Wellesley and his associates.—— On the same day, there appeared, in several of the papers, a paragraph, varying its shape in the different papers, which paragraph stated, that, in consequence of Sir A. Wellesley having been superceded, and his advice having been rejected, the victory of the 21st was not followed up, and the enemy was enabled to concentrate his forces and to take strong positions. This is the identical lie, which has since been repeated, and which was, I trust, completely detected and exposed, in my last, where it was shown, that Wellesley had, agreeably to Sir H. Burrard's dispatch, the whole and sole active command during, and *till after* the battle of the 21st. But, observe the time of this lie's appearing. It was a day, if not two, after *the ministers* had received intelligence of all that had been done. Wellesley's friends had got hold of it; and they instantly set to work, with their usual activity and impudence. On the 16th, when the news, as communicated through the Mayor of London, made its appearance in the public prints, it came side-by-side with paragraphs, stating, that there had been a misunderstanding amongst our commanders in Portugal. But the best way is to take one of these, with a particular reference. The Morning Chronicle of the 16th, had this paragraph: " These accounts seem to jus- " tify the reports which have been for some " days in circulation, respecting *a misun-* " *derstanding* which is represented to have " taken place between our military com- " manders in Portugal. Sir A. Wellesley " in particular, is mentioned, *as being ex-* " *tremely dissatisfied with the proceedings* " *which have taken place since he was su-* " *perseded in the command*, and it has been " said even that he was about to return " home in disgust. But whatever founda- " tion there may be for the former part of " the rumour, *the high character of the* " *distinguished and gallant officer* makes it " impossible to believe the latter. We un- " derstand, that *when the capitulation was* " *signed, he was at above twenty miles dis-* " *tant from head quarters.*"——When, however, the Gazette came out, and exhibited to us the name of this same " high " characted and gallant officer," at the bottom of the most infamous of the documents, a circumstance of which his friends, even those of the highest rank, could not be aware, until they saw the documents, when the Gazette came out, it was time to change the lie; and, it was then asserted, with as much assurance as his absence had before been asserted, that he was compelled to sign the armistice; that he had solemnly protested against it; and that he was, therefore, not at all responsible for what had been

done. Corresponding with these assertions, there were published several pretended "*letters from the army*," insinuating, that Dalrymple and Burrard were fools, at least; saying that their arrival had spoiled all; and praising Wellesley to the skies. But, *now* we have, under Wellesley's own signature again, a proof that he approved of what he had signed in the armistice, and that he considered the terms of that document, which terms have filled all England as well as all Portugal with grief and rage; that he considered those terms, which his friends take the devil to witness that he protested against at the same moment that he signed them; we have now, as if he had been resolved to raise a blush upon the cheek of even his hardened advocates; we have now, under his own hand, the proof that he regarded those terms as a matter of *congratulation*. And, observe, that he writes this letter to the bishop, before he knew that Cotton would not agree to the *neutrality* of the Russian fleet and of the port of Lisbon. It is the thing in all its worst light that he approves of, and upon which he presents his congratulation.—— And how came *Wellesley* to be the person to write to the bishop? Why not Sir Hew Dalrymple? This circumstance, though, at first sight, it appears trifling, is of great importance; because, it shews, that, though superceded in form, he, in fact, did keep the command of the army How came he to write to the bishop? Whence should this arise, but from that arrogance, which had prevailed over, and borne down, every person and every thing that came in its way? —In short, there remains not, in my mind, the smallest doubt of his having been the chief, nay, the *sole* cause, of all the mischief that has been done. There are some who ascribe a still worse motive to him than I am inclined to ascribe, and, it must be confessed that the acknowledgment of "the emperor and *king of Italy*" together with that of the "*Duke d'Abrantes*," might justify any suspicions; but, the motive I think imputable to him, supposing him not to be either a downright fool or coward, is that of a determination to gratify his own insolent ambition, and to keep all others in the shade, cost what it might to his country, to the country of our allies, or to the great cause of Europe in general —Dearly has the country paid for this arrogance; this insolence; but, when we cast our eyes back but a little, we must confess, that, great as is the punishment, the country richly deserves it. Ah! we now *feel*, do we, what it is to protect, cherish, and pamper such men? We have not yet done with this sort of feeling. We have yet new indignities to encounter. I am told, indeed, and from what I deem good authority, that "the *ministers* and the "*king* are as indignant at the conduct of "our commanders as I am." It is very natural that they should be so; but, I am, nevertheless, fully prepared to witness a series of the basest arts to which villainy, backed by a heavy purse, ever yet resorted. That these arts will not succeed, I think very probable; yet, again I beseech the public to be upon their guard against them.

With respect to the *consequences* of the Convention in Portugal, some of them have already been pointed out; but, there is one which forces itself upon us in a way not to be denied immediate observation, and that is, the *delay* in sending part of the troops to the assistance of the Spanish patriots. Sir Hew told us, that the hastening off troops to Spain was, in his mind, the chief *advantage* of the Convention. The Convention was signed between five and six weeks ago. Is there any man who believes, that a single English soldier has yet left Portugal for Spain? *Three weeks*, we know, had been spent without any step being taken to fulfil the Convention; or, at least, without any of the French troops having been embarked; and, should there be *no* impediment from the Portuguese, it will, in all human probability, be a month from this time, before a regiment can be marched off. But, if there *should* be an impediment, what will, in that case, be the delay? Why four times as great, perhaps, as could have arisen from a reduction of the French army, and a sending of them to England prisoners of war.——But, why are not the Convention-making generals *recalled?* Can any one affect to believe, that our army, under these men, either will or can do any thing good, in Spain or Portugal? Spain and Portugal have made common cause against a common foe; the latter has protested against our conduct; it has, in the person of its chief commander, accused us openly of having usurped the rights of its sovereign and having sacrificed its interests to the safety and impunity of its foreign and domestic foes. This protest has, by this time, been read in every town of Spain. Is it to be believed, then, that the Spaniards will suffer the Convention-making generals to enter their territory?—— No time should, therefore, be lost in recalling those generals. For want of one to take the command, the *Serjeant*, who is said to have refused *the watch and purse* of general Bernier, as a bribe for setting that

general at liberty, would do very well. That man, I'll engage, would never have signed the armistice of the 22d of September.——It is clear, that the recall of these men ought immediately to take place; and, I repeat my astonishment, that it has not already been announced to the public, as a measure in the course of fulfilment. But, there is more besides this to be done, in order to reinstate us in the confidence of the Portuguese and Spaniards, who will hardly be satisfied with the disclaimer, however strongly and generally expressed, of the *public* in England. They will require a disclaimer on the part of *our government*; and, surely, they will not have to wait many days for a formal, a public, a solemn Declaration, in the name of the king, expressing his grief for what his generals in Portugal have done; giving the strongest assurances, that the like shall not again be done; and, to give weight to these assurances, a distinct intimation, that the parties, against whose conduct the Portuguese have protested, shall, with all the speed that the impartial administration of justice will admit of, be brought to trial. Nothing short of this will afford us a chance of restoration to the confidence of the nations in question; nations upon whom the enemy is now pouring down with immense force, and who, if they need our aid at all, must need it at this moment. What a wide difference there would now have been in our prospects; how different would they have been from what they are, if this shameful Convention had not been made; and, if our commanders had, from the first, acted with the discretion, with that respect for the feelings of the Portuguese, which the circumstances of the case rendered so peculiarly appropriate. I perceive, in the Gazette which has reached me to-day, an account of a very gallant exploit of my LORD COCHRANE; but *he* does not take all the merit to himself; you hear from him not a word of bragging; he talks of no *wonders* that he and his crew have performed; but he takes care not to omit the mention of the good conduct *of the Spaniards*. "The castle of Mongal," says he, "an "important post, completely commanding "a pass in the road from Barcelona to "Gerona, which the French are now be-"sieging, and the only one between those "towns occupied by the enemy, sur-"ren ered this morning to his majesty's "ship under my command *The Spanish "militia behaved admirably, in carrying "an outpost on a neighbouring hill.* Lieut. "Hone, with the marines, took possession "of the castle, which, by means of powder, "is now levelled with the ground. The "rocks there are blown down into the road, "which in many other places is rendered "impassable to artillery without a very "heavy loss of men, if they determine to "repair them.—I inclose to your lordship "a list of the prisoners and of the material "part of military stores; *all that could be "of use to the Spanish militia have been de-"livered to them.*"——This is the manner, in which a brave, a wise, and modest man acts and speaks. He leaves his commander and his country to determine the degree of his merit and the importance of the particular service. Oh, had we had my lord Cochrane at Ramahal, we should now have had Junot and his army in England! The conduct of Sir Samuel Hood, in the Baltic; his judicious proceeding after the action; every thing that we now see of gallantry, or wisdom, or modesty, in our commanders, serves as a contrast to what has taken place in Portugal, where, more than in all other places put together, we stood in need of the practice of these virtues. To be overbearing and vainglorious is, too, so opposite to our national character; it is so to belye our country! Well, we have now a pretty good lesson upon the consequence of committing our interests and our honour to the keeping of a fighter of nabob viziers; and, if from that lesson we do not profit, we merit to be treated like the subjects of those same nabob-viziers.

Here I should have dismissed this subject, until, at least, it had been seen what the *ministers* really intended to do; but, I must add a few words upon the conduct of the Morning Post newspaper of yesterday. It will be remembered, that, in my last, I stated *a fact* about the *proprietorship* of that paper, which fact was of great importance, considered in connection with the defence which that paper has attempted to make for Wellesley. Instead of any thing in answer to that statement, what do I find? Why, a silly letter of two columns and a half in length, controverting my opinions *about the Spanish Revolution*, and which letter the editor acknowledges to have had in his hands for a month past; as if, by controverting those opinions, he should prove my statement, relative to his paper, to be untrue. ——In the same paper, there is a long article, the object of which is, to cause it to be believed, that the censure now bestowed upon the conduct of Wellesley proceeds solely from *a spirit of party*. Now, let the ministry betake them quickly to political repentance, if this be true: for, of this

"*party*" are the whole nation, some half hundred of nabob beaters excepted; and, of course, their exit is at no great distance. But, as to the fact; is it not notorious, that *all* the papers, without a single exception, gave Sir Arthur Wellesley great praise for his victories? And, as to myself, I put them, in point of consequences, upon a level with the battle of Trafalgar. I also appeal to the reader, whether *all* the editors did not, until they saw the Gazette, publish, in some shape or other, an expression of their opinion, that he had had no hand in the Convention. Let us take one particular instance, however. If it be the work of *party*, then it must be the work of that party, which is opposed to the party of the Wellesleys; that party, then, is the Opposition; it is well known, that the Morning Chronicle is the official print of the Opposition; and, in the Morning Chronicle of the 16th, *the day before it could see the Gazette*, there was a paragraph, as has been already seen, stating that Wellesley was *dissatisfied with the Convention*, and that he was "*above twenty miles from head quarters when it was signed.*"——Did this look like *party* work? It is a false and base pretence. There has appeared nothing of party spirit in the discussion; and now, as in the case of Lord Melville, an attempt is made to draw men's minds from the merits of the case by imputing motives of party to those who are calling for justice upon the person accused. It is of great consequence, that the public should be upon its guard against this sinister design. The mind of a good man naturally revolts at the idea of *party persecution*. This laudable feeling in the English public has often proved a shield for the guilty; and, therefore, we should be very careful to ascertain that we have grounds for such a feeling, before we admit it as an inmate. It is not, observe, pretended, that poor Hew or Burrard have been assailed from *party* motives; and why not they as well as their associate? This same Morning Post accuses them most boldly; aye, and it does it, *because there is no other way of defending Wellesley.*——Let us, however, keep upon our guard against deception; let us keep our eye upon those who have power to act efficiently: let us see what they do; and then let us pass our judgement.

Botley, 29 September, 1808.

Major Cartwright on National Defence.

Sir,—Now that the press of Spain has become free, and that we see both emulation and controversy enlightening the Spanish mind, we may be confident that such books and public papers of England, as can be serviceable in their present struggle, will find their way thither. The best of our newspapers will be imported for the relations they contain of public events; but as they are heavily laden with advertisements, and stuffed with frivolous trumpery, which we ourselves could not endure were it not pinned on the back of public intelligence, while your Register is free from any such alloy, is wholly devoted to political discussion and state papers, and is conducted with a degree of principle to be looked for in vain in the other papers alluded to, it may be expected that it will not be overlooked by the Spanish Patriots; on which account it is to be hoped you will continue your observations on Spanish affairs; which is the more desirable, as, in the common cause in which we are now embarked with that nation, it will be difficult to imagine any discussion on government which can benefit Spain, that will not at the same time benefit England also; a circumstance which can very rarely occur, in respect of those despotic governments with which our own is but too frequently allied.

Since my last, Sir, new and brilliant facts have arrived from Spain, in confirmation of the doctrines laid down in the *Ægis*, on the subject of the arms-bearing of a people, towards proving that an armed population, instead of being to regular armies an "unresisting medium," is in reality a wall of adamant. If a truth so founded in nature, and so apparent to any unperverted mind, be, in the defence of Spain, thus already manifested, the author claims no merit for having maintained the doctrine. All he does claim, is, not to have incurred the demerit of suffering, without resistance, truth to be beaten down by the presumptuous dogmas of the adversaries of public liberty, nor to be silenced by the vociferations of the corrupt panders of despotism; who, in the service of one faction or another, have not only monopolized a large proportion of our newspapers, but have well stored with their pernicious writings the shops of our booksellers.

The facts now in my thoughts are those contained in the dispatch of the Count de Caldagues, to the captain-general of Catalonia, transmitted from Tarragona, and inserted in the "Times" of the 24th instant. The French, it seems, besides having the command of the Pyrennean Pass near the Bay of Roses, were in possession of the fortress of Figueras, very near the mountains, and also of the city of Barcelona, at

the distance of about 15 or 16 leagues, with the strong fortress of Monjui by which it is overlooked; and had now laid siege to Gerona, situated in the intermediate space between those places. Under these circumstances, and keeping in our recollection the vicinity of the scene to France itself, the Count advanced for the purpose of raising the siege. "On his arrival at the town of Castilla, he found that he could muster about 6000 men in arms; and though there were among them only about 300 veterans, and but a very few more that were formed into companies of miquelots, he did not hesitate a moment to attack the enemy, upon a system adapted to the nature of his and their force." The enemy is stated to have been "from 7 to 8000 infantry, and from 8 to 900 cavalry," under General Duhesme.

Now admitting, (even against the express evidence of the dispatch), that the French might not have been superior in number to the army by which they were attacked, and admitting likewise that the besieged Geronians themselves were to be accounted as part of the Spanish force, yet, according to the doctrine of an armed population being to a regular army an "unresisting medium," the Spanish Patriots who attacked this army of accomplished regulars, in a position between two strong fortresses in their possession, and very near the French gate into Spain, and protected also by a body of cavalry to which they themselves had none to oppose, ought to have been put to a shameful flight, or, had they been mad enough to have rushed upon destruction, ought to have been cut to atoms and annihilated. But, on the contrary, these regulars, having every advantage on their side, are borne down by "the skill and valour" of the patriots, their line of battle is broken, one part seeking their safety in Figueras and the other within the walls of Barcelona. It seems probable that the "300 veterans" of the Spanish were no part of a distinct corps, but individuals who, in consequence of the rule of the Spanish army, of enlisting for limited service, were found among the population now armed and organized; but, be that as it may, and whether serving together, or (as more probable) in the capacity of non-commissioned officers, here is an army of volunteers with as few veteran individuals in its ranks as can be supposed ever to happen, and yet, so far is it from being a mere "depositary of panic," that it "attacks the enemies' batteries with the bayonet, with such ardour and celerity, they have scarce time to think of resistance; they are defeated, they perish, or fly under the impulse of terror."—They attempt to rally, "in order to reconquer what they had so ignominiously lost;" but it is impracticable. Although a remnant of their force is preserved by their protecting cavalry, yet, leaving behind them artillery, small arms, ammunition, wheat, and plunder, and carrying off "30 waggons filled with their wounded," in the course of the night after the battle, which had "commenced at 7 in the morning and lasted until late in the evening," they seek for safety in flight. But here again, so keen was the pursuit, that they had to sustain "various encounters on the road to Barcelona, in all of which they proved to be in a state of complete disorder, and, at every step of their progress, many of them paid the forfeit of their lives; so that their dead almost touched each other as they fell, until their arrival at Barcelona, with a remnant of about 800, for the preservation of which a corps advanced from that city." Of what befel the other division which fled to Figueras, in an opposite direction, the writer of the dispatch does not appear to have been acquainted; but he had informed us that both divisions were "pursued by Milans and Glaros, in the routes which they had respectively taken;" whence we may naturally suppose that those who fled to Figueras did not escape unpunished.—Such, Sir, are the facts: but what is the moral?—It is that which is everywhere inculcated in the *Ægis*, that a regular army, necessary as it may be for invading other countries, or for foreign service of every kind, *is not necessary for a nation's defence*. Nor will it be any impeachment of this doctrine, should Spain, now she has got a general Junta of Regency, increase her regular force in any degree to which her finances may extend. The raising of the siege of Gerona and the defeat of Duhesme will still remain upon record to prove, *that a regular army is not necessary for the defence of a nation.*

I am, nevertheless, Sir, well aware of sound reasons why Spain, under her present circumstances, may adopt the expedient of increasing her regular force. Her militia is on a bad model; she never had such a system as the English posse comitatus. Perfect as in its own nature that system is, yet even in England a plan for restoring it to "full vigour and energy," according to the wish of Sir William Jones, has got no nearer adoption than being in manuscript, as the draught of a parliamentary bill. Meanwhile, Spain has not a moment to lose. Although armed patriots,

fighting for the liberties of their country, will ever be greatly superior to any mercenary enemies, even number for number, man for man, whenever the battle comes to be decided by *the bayonet*, yet, in manœuvring and tactics, regular troops who are soldiers and nothing else, and whose whole time is devoted to soldiership, ought to have a superiority over a patriot militia, who are citizens as well as soldiers. On this account Spain will probably augment her regular force. But the more she reflects on her present situation, which imperiously demands every arm that can wield a weapon, the sooner she will discover that her main reliance must not be on regular armies. In proportion as her defenders shall be numerous, she may dispense with superior skill in manœuvring; for, after all that ever was or ever can be advanced in support of military science in manœuvring, such science is but a substitute for physical strength, whereby the regular gains the flanks of his less expert adversary, or some equivalent advantage: but when the contest is between an *army* and an *armed nation*, the flanks of the latter never can be turned. It is superior in front; it will soon have a great force on each flank of the invader; and, if he dare to advance, it must likewise occupy his rear with troops through which he never can cut his retreat. In short, under circumstances in which manœuvring can be of no avail, the time and the money that have been spent in their acquisition have been thrown away; for the invader cannot avoid a decision *by the bayonet*, in which case, as before observed, he must be, man to man, inferior; and when, likewise, he must be surrounded by thrice or four times his number, his destruction must be as certain as any demonstration in Euclid; for, independent of the operation of the bayonet in the hands of an enraged people, avenging themselves on mercenary instruments of despotism attempting their subjugation and slavery, invaders, once hemmed in by surrounding armies of patriots, cannot long have either food or sleep. When we are comparing regulars and a patriot militia, it is always to be presumed that the latter are to be taught *to use fire-arms, so as to destroy enemies without danger to friends, and the necessary tactics for each man keeping his station in any necessary evolution of his battalion*. This is very soon taught, and this is all that is essential, except mere *attention, and a steady obedience to what is ordered*. Law, and a sense of the necessity, must therefore soon make as good soldiers of a patriot militia as the defence of a country can require. And the same law can furnish artillery in any number, and provide for its education.

But, Sir, there are some amongst us who are, it seems, troubled with an apprehension, that all this gallantry of the Spanish people is to prove of no avail towards bettering their political condition. They see nothing encouraging in the *nature* of the contest; nor any thing to hope as to the *result*. Differing in opinion on these points with those by whom such sentiments are entertained, and wishing every question now applicable to Spain to be brought into discussion, as, in my judgment, such discussion were good both for Spain and for England, the following observations solicit a place in your Register.

First, then, touching the *nature* of the contest, I do not apprehend, that, on the part of the Spaniards, the war against the Buonapartes is a mere war of the priests, for preserving the sway they have over the minds of the people, which would soon cease under a French government. Neither can I be persuaded, that all the exertion and animation I see on the part of many Spaniards of rank, in rouzing their countrymen to arms and leading them to battle, is a mere factious effort for either restoring the corruptions of the Bourbon government, or for placing the government exclusively in the hands of the aristocracy.

Some individuals, indeed, may be wholly influenced by selfish and factious motives; and some tincture even of such motives may possibly be mingled with more generous sentiments in the minds of others; but, from the peculiar nature of this case, so calculated in all respects to inspire a real patriotism, and furnishing so glorious an opportunity for the complete deliverance of Spain, it would be an impeachment of the common sense and taste of all the enlightened men of that nation, as well as of their virtue, to believe they could resist the temptation of being real patriots on such an occasion. In what other way can a Spaniard, at the present juncture, rise to eminence? Spain must either receive the French yoke, or she must resist. She must either fall, or triumph. There is no medium. And she has no means of a successful resistance, but in arms and liberty. Is not this enough to fire every Spanish mind with patriot virtue? And when that high-minded people shall have thus, after a bloody struggle, repelled the French usurper, will it be possible for their leaders to descend from that lofty freedom they must then possess, to crouch again under the despotism of royal drivellers, or the

infamous corruptions of Godoys? This is what I cannot believe. On the authority, indeed, of one who is near the scene of action, I am taught to believe, that, notwithstanding the respect paid to the name of Ferdinand VII, the object of the most distinguished leaders is a complete reformation of government, as a basis of real liberty: and it seems reasonable to conclude that this must be the case, when we reflect on the gigantic power of the invader, and on the impossibility of animating the people by *any other hope or motive*, to that patience under suffering, to that enthusiasm in the cause, and to that contempt of danger and death, which are indispensably necessary to success.——And why are we not to conceive it possible that even in a Roman Catholic country, and one in which the nobles do not want pride, a priesthood and a nobility should be capable of patriotism? Those nobles who secured us Magna Charta were proud enough in all reason; they were Roman Catholics, and had moreover at their head a Romish priest, archbishop, and cardinal—Stephen Langton. But the fact is, that whatever might be the leaning of their own inclinations against popular freedom from the prejudices of their respective orders, they were in a situation in which they had to choose between favouring real public liberty, and submitting their own necks to a hateful and disgusting yoke. And are not the priesthood and nobility of Spain now in the same predicament? So much, then, for the *nature* of the contest.

I come now to the *hopes* which may be entertained of a beneficial result. What, indeed, is there not to be hoped for, when we see a nation, as one man, fly to arms, on an attempt against its independence! I perfectly well know the essential difference there is, between independence and liberty:—between Spain being exempt from the domination of France, and enjoying a truly free government of her own choosing. Under a government merely Spanish, that government might indeed be independent; while the nation might be enslaved; as Spain lately was. But is it to be believed that her despotic government under the Bourbons having been annihilated, and the whole nation having taken up arms to save itself from the despotism of another family, Spain should be so besotted as to wade through her own blood to place herself in her late abject slavery again? Those who have faith enough to believe this, must be as expert at believing as any pope on earth could wish.——Is it not evident, that the armed union, which shall be sufficient to resist France, must be all powerful to recover those ancient liberties which the Spanish nation, with extreme indignation, saw torn from them by Charles V. and his gloomy son? And when the French armies shall be repelled, and the modelling of the government shall be in the hands of the victorious patriots, without either the presence of royal personages debauched by power, or their corrupt minions, to counteract their designs for the public good, can any human being doubt of their best endeavours to establish it on the solid foundations of political liberty, protected by a national Cortes? Upon the whole, in the armed population I see the materials of success; in the general junta, just assembled, the means of organizing, harmonizing, and directing these materials; and, in their now free press, the mental nutriment for supplying energy and enthusiasm.——The honest mass of every people, who have virtue enough to fight for their country, are ever friends to free government; and all they want is leaders of sufficient knowledge and integrity, for preferring what is intrinsically good.

A little reflection on the constitution of human nature, and on that faculty of reason which places us above the condition of the brute creation, will convince us that this must be so. And there seems good ground for concluding, that, on the present occasion, there is sufficient virtue among the higher classes in Spain, to establish that union between the nobility and the commons, *the want of which caused the loss of their liberties under their former monarchs*, and the peculiar degradation of the nobles.

At the period now spoken of, there was among the commons of Spain more knowledge on the subject of civil government than among any other people in Europe, those of England not excepted; and, had not the extravagant pretensions of the nobility, imbibed from the feudal system, which had proved the bane instead of the preserver of the ancient liberties, then prevented a cordial union between the two classes, Spain would probably have set an example to mankind, which was reserved for England a century and a half afterwards: I do not mean of expelling a tyrannical king; but of declaring the rights of a people, and laying thereon the foundations of government. Between the events alluded to and the present there are striking resemblances. The Spanish "sovereign was absent from his dominions; by the ill conduct of his ministers he had lost the esteem and affection of his subjects; the people, exasperated by many injuries, had taken arms, *though with-*

out concert, almost by general consent." Their first care "was to establish some form of union, that they might act with greater regularity, and pursue one common end."—"Assuming the name of the holy *Junta* or association, they proceeded to deliberate concerning the state of the nation, and the proper method of redressing its grievances." Happily for Spain, in the present juncture, their king cannot now follow the example of her then absent monarch, who, in circular letters to all the cities, endeavoured by mild but insidious language to divert them from their purpose; while, to the nobles, whom before he had treated with contempt and endeavoured to humble, he wrote others "exciting them to appear with vigour in defence of their own rights, and those of the crown." By these letters, by *seeming* concessions, and other flatteries, he but too well succeeded with this order of men.

"The *Junta*, relying on the unanimity with which the nation submitted to their authority, elated with the success which hitherto had accompanied all their undertakings, and seeing no military force collected to defeat or obstruct their designs, aimed at a more thorough reformation of political abuses." What we in England have called a Bill of Rights, they termed a Remonstrance. It contained between thirty and forty articles, amongst which were these;—"That no foreign troops shall, on any pretence whatever, be introduced into the kingdom;" doubtless meaning to prevent soldiers from the king's German dominions being brought into Spain to favour arbitratry designs; "that all new offices created since the death of queen Isabella (Charles's grandmother) shall be abolished;—that the crown shall not influence or direct any city with regard to the choice of its representatives;—that no member of the Cortes shall receive an office or pension from the king, either for himself or for any of his family, under pain of death, and confication of his goods;—that each city, or community, shall pay a competent salary to its representatives for his maintenance during his attendance on the Cortes;—that all privileges which the nobles have at any time obtained, to the prejudice of the commons, shall be revoked;—that the lands of the nobles shall be subject to all taxes in the same manner as those of the commons;—that indulgences shall not be preached or dispersed in the kingdom until the cause of publishing them be examined and approved of by the Cortes;—and that the king shall ratify, and hold as good service done to him and to the kingdom all the proceedings of the Junta."

Unfortunately, Sir, "the nobles, who, instead of obstructing, had favoured or connived at their proceedings, while they confined their demands of redress to such grievances" as had proceeded only from kings and ministers, no sooner perceived that their own exorbitant privileges, especially the exemption of their estates from all public taxes, were thought grievances, than they fell off from the cause of reformation and liberty; and, by siding with the crown against the Junta, encouraged Charles in the prosecution of his views; whereby he in the end completely established that absolute dominion which has now for nearly three centuries kept their order in a state of mortifying degradation, and lain so heavily on the loins of the whole Spanish nation.

When too late, they became sensible of their error; and it is to be hoped that their posterity of this day, who have now the most favourable opportunity, that was ever presented to the patriots of any nation, to establish its freedom on sure foundations, will prove more virtuous. The bitter remembrance of the despotism that has been experienced, with all its oppressions and abominations, which have in all ways proved the direst curses of their country, must surely have power to inspire them with a sincere desire of now cordially uniting with the commons, in a dispassionate view of those principles of government under which the rights of all classes are secured, and by which the political liberty, prosperity, and happiness of a nation can alone be provided for. I do not mean to disguise, that the Spanish commons of that day, when they discovered fraudful practices for counteracting their patriotism, were in some instances more governed by their passions than their reasons; thereby furnishing the nobles with an apology they eagerly caught at for their conduct in not having united with them; which, had they done in time, would doubtless have secured to the nobility every modification of the "Remonstrance," which could in reason have been required.

When, as I have said, it was too late, the Spanish nobles, in the year 1539, then sensible of the error of their former conduct, "demanded a conference with the representatives of the cities concerning the state of the nation," and made representations to the king; but he was then become too strong for their united opposition. He dismissed the Cortes of Castile, then assembled at Toledo, "with great indignation," and "from that period neither the nobles nor the prelates have been called to these assemblies, on pretence that such as pay no part of the public taxes, should claim no

vote in laying them on. None have been admitted to the Cortes but the procurators or representatives of eighteen cities. These, to the number of 36, being two from each community, form an assembly which bears no resemblance either in power or dignity or independence to the ancient Cortes, and are *absolutely at the devotion of the court in all their determinations.*"

In the constitution manufactured by Bonaparte at Bayonne, this skeleton of representation, for a nation of 8 millions of souls, is carefully copied; whereas, in the year 1390, forty-eight cities of only Castile sent their deputies to the Cortes, to the number of 125, as they chose more or fewer according to their population; and it made part of the claim of the national Junta abovementioned, that each city of Spain should send three.*—The circumstances of government, and the state of the national revenue and expenditure, not having in those days opened the eyes of mankind to all the uses of legislative representation, the Spanish Junta of 1520, demand "that the Cortes shall assemble once in three years at least, whether summoned by the king or not, and shall then inquire into the observation of the articles now agreed upon, and deliberate concerning public affairs;" and here again nearly three centuries afterwards, and when, for the purposes of salutary government, annual legislation is become as necessary as an annual harvest, the Corsican lawgiver was pleased to grant, that the Cortes shall meet *once at least in three years*; but he took especial care that it should only assemble by summons of the king; and that, unless by his order, it should neither be dissolved, nor prorogued, nor even *adjourned*; and he was to dismiss it when he pleased; so that, although its meeting should have been according to the letter of such a constitution, the moment it should attempt to deliberate on any point not pleasing to the king, who would be sure of the earliest intelligence of what was going on in such an assembly, of whom its president was to have been of his appointment, he was to have the power of dissolution. Its votes were to be taken by ballot; so that no member could know how another voted. Its sittings were not to be public; so that no constituents could have the smallest knowledge how their representatives conducted themselves; and the publishing of any of its proceedings, either votes or opinions, either in print or writing, even by a member of the Cortes, was to be punishable as an act of insurrection. After an attempt so diabolical, it should seem probable that ere a Buonaparte can be established on the throne of Spain, the nation must be more than half exterminated. It was thus that he was to improve upon the government of the Bourbons! It was thus that he was to reform Spanish abuses! It was thus that he was to exalt the character of Spain among the nations!

In my last letter I touched on the essentials of such a government, as can alone confer freedom on Spain, and enable her to defy the power of the Corsican. Those essentials are, a national arming on the true principles of freedom, and a legislative assembly on the true principles of representation. In neither of these particulars must Spain expect full instruction, from recurring to her own annals in times past. In respect of the former, her best model was the *Holy Brotherhood*, or *Santa Hermandad*, first instituted in the year 1260. This was a mere voluntary association of the cities for protection in travelling, and to establish a martial police, for reforming the anarchy, rapine, outrage, and murders, which had grown out of the inherent defects of the feudal system, and the frequent civil wars between the crown and the nobility, as well as between baron and baron. The association was supported by contributions exacted from each city; it raised a considerable body of troops; it pursued criminals, and it appointed judges to try them. Although displeasing to the nobles, it took root; and so well answered the ends of its institution, that it acquired a sort of prescriptive establishment, insomuch, that it afterwards received the entire countenance of Ferdinand, as a valuable counterpoize against the barons, whose power he desired to reduce; and he even extended its authority beyond those parts to which it had till that time been restricted. On one occasion the Hermandad furnished that prince with 16,000 beasts of burthen, together with 8,000 men to conduct them. It has still an existence in Spain, for purposes of police: but when this institution is compared with that of the English posse comitatus, which was coeval with the constitution, and therefore an elder brother to the feudal system; and which, under the organization of Alfred, became the most perfect system of police the world ever experienced, while it was not only consistent with, but the very soul of political liberty;—when, I say, the Spa-

* It appears from the Magna Charta of John, signed in the year 1215, that there were then *four* knights of the shire in each English county; a circumstance overlooked by the Yorkshire reformers in 1780.

nish Hermandad is compared with the English posse, it is too defective to serve as any model for the present day; whereas that ancient institution of our own country wants only to be revived and cherished as it deserves to be, to constitute the most perfect defence of which a nation can by any possibility be capable; for, it is to be remembered, that it does not exclude the employment of any number of regular troops which exigencies may require, and it is capable of furnishing every other species of martial force that can be wanting, and under such discipline as the safety of the state may render necessary; and notwithstanding the neglect it experiences, *because of its perfect congeniality with national liberty*, those by whom it is understood, know it to be the only system which, in the day of trial, can put at the disposal of the government the entire strength of the nation; and with such admirable effect and precision, as to bring into action, for the public defence, every particle of the physical strength of its population, with perfect order and regularity.

Now, Sir, with regard to a future representation of Spain in a Cortes, it is certain, that although she may look back to periods of freedom with instruction as well as with pride, she has many reasons for not binding herself down to any precise precedent in her ancient practice; for, prior to the æra when her political liberties were overturned, there had been no general Cortes for all Spain, and there were material diversities in the laws of the several kingdoms of which Spain is at this time composed. Down to that æra likewise, representation had been in use among the northern nations, which bore down the Roman empire, rather as an indisputable right, than as a system of refined policy; rather as that which they felt to be necessary to liberty, than that of which they had studied the nature as a science. It is not therefore to be wondered at, that in Spain, as well as in every other nation to which representation was known, its distribution was not originally regulated by correct notions of equality; nor its purity and independence so guarded, as experience has known to be necessary. It has been only in consequence of the wicked and unceasing arts and efforts of arbitrary princes and corrupt statesmen, either altogether to rob the nation of this shield of freedom, or to render it useless to the people, and an instrument of mischief in the hand of the prince, that the learned and the virtuous have studied it scientifically, as by far the most important branch of civil government, next to a free militia. Among the defects of former times in Castile, touching representation, it seems that the city of Toledo, and perhaps others, did not even *elect* their deputies; but that the citizens cast lots, and those two on whom the lots happened to fall, served in consequence. The absurdity, however, of such a proceeding became apparent, when, during a public agitation between the Emperor Charles and his Spanish subjects, or on a point affecting their liberties, the lot fell on two persons known to be devoted to the Flemish faction. On this unfortunate event, the citizens refused to grant a commission in the usual form; and proceeded to elect two other deputies, whom they empowered and instructed to repair to Compostella, in Galicia, to protest against a Cortes for Castile being there held, as against law. I cannot, however, omit an admirable practice which ought to be in use with every nation that enjoys representative freedom; it was the custom for a Castilian deputy, when he returned from the Cortes, to assemble his constituents and give them an account of his conduct.—The quotations made from Spanish history are from Dr. Robertson.——I remain, Sir, &c.

Enfield, J. CARTWRIGHT.
27*th Sept.* 1808.

OFFICIAL PAPERS.

CONVENTIONS IN PORTUGAL.—*From the London Gazette Extraordinary, continued from Page* 513.

Art. I. There shall be from the present date a suspension of arms between the forces of his Britannic majesty and those of his imperial and royal majesty Napoleon I, in order to treating for a Convention for the evacuation of Portugal by the French army.—II. The generals in chief of the two armies, and the admiral commander-in-chief of his Britannic majesty's fleet off the mouth of the Tagus, shall fix upon a day whereon to meet on such point of the coast as shall be thought fit, in order to treat for and conclude said Convention.—III. The river Sirander shall form the line of demarcation between the two armies: Torres Vedras shall not be occupied by either.—IV. The commander-in-chief of the British army shall engage to include the Portuguese armies in this Convention, and their line of demarcation shall be from Leira to Thurmur.—V. It is provisionally agreed, that the French army shall in no case be considered prisoners of war; that all those of whom it consists shall be conveyed to France, with arms and baggage, and all their private property of every description, no part of which shall be wrested from

them.—VI. No individual, whether native of Portugal or a country in alliance with France, or of France, shall be molested for his political conduct; they shall be protected in their persons, their properties respected, and they shall be at liberty to remove from Portugal with what belongs to them within a stipulated time.—VII. The neutrality of the port of Lisbon shall be recognised with regard to the Russian fleet: that is to say, when the British army or fleet shall be in possession of the city and port, the same fleet shall not be molested during its continuance there, nor obstructed when leaving it, nor followed after it shall have quitted that port, before the time prescribed by the maritime laws.—VIII. All the artillery of French calibre, as also all the horses of the French cavalry, shall be transported to France.—IX. This suspension of arms shall not be broke without forty-eight hours notice.—Made and agreed upon by the forementioned Generals—(Signed) ARTHUR WELLESLEY. KELLERMANN, Gen. of Division.

Additional Article.—The garrisons of the places occupied by the French army shall be included in the present Convention, if they shall not have capitulated before the 25th instant. (Signed) ARTHUR WELLESLEY. KELLERMANN, Gen. of Division. (A true Copy)—A. J. DALRYMPLE, Captain, Military Secretary.

Definitive Convention for the Evacuation of Portugal by the French Army.

The generals commanding in chief the British and French armies in Portugal, having determined to negociate and conclude a treaty for the evacuation of Portugal by the French troops, on the basis of the agreement entered into on the 22d inst. for a suspension of hostilities, have appointed the undermentioned officers to negociate the same in their names, viz.—On the part of the general in chief of the British army, lieut. col. Murray, quarter-master general; and on the part of the general in chief of the French army, M. Kellerman, general of division, to whom they have given authority to negociate and conclude a convention to that effect, subject to their ratification respectively, and to that of the admiral commanding the British fleet at the entrance of the Tagus. Those two officers, after exchanging their full powers, have agreed upon the articles which follow:—Art. I. All the places and forts in the kingdom of Portugal, occupied by the French troops, shall be delivered up to the British army, in the state in which they are at the period of the signature of the present convention.—II. The French troops shall evacuate Portugal with their arms and baggage; they shall not be considered as prisoners of war, and, on their arrival in France, they shall be at liberty to serve.—III. The English government shall furnish the means of conveyance for the French army, which shall be disembarked in any of the ports of France, between Rochefort and L'Orient inclusively.—IV. The French army shall carry with it all its artillery of French calibre, with the horses belonging to it, and the tumbrils, supplied with sixty rounds per gun. All other artillery, arms, and ammunition, as also the military and naval arsenals, shall be given up to the British army and navy, in the state in which they may be at the period of the ratification of the convention.—V. The French army shall carry with it all its equipments, and all that is comprehended under the name of property of the army; that is to say, its military chest, and carriages attached to the field commissariat and field hospitals, or shall be allowed to dispose of such part of the same on its account as the commander-in-chief may judge it unnecessary to embark. In like manner, all individuals of the army shall be at liberty to dispose of their private property of every description, with full security hereafter for the purchasers.—VI. The cavalry are to embark their horses, as also the generals and other officers of all ranks. It is however fully understood that the means of conveyance for horses at the disposal of the British commanders are very limited; some additional conveyance may be procured in the port of Lisbon; the number of horses to be embarked by the troops shall not exceed six hundred, and the number embarked by the staff shall not exceed two hundred. At all events, every facility will be given to the French army to dispose of the horses belonging to it which cannot be embarked.—VII. In order to facilitate the embarkation, it shall take place in three divisions, the last of which will be principally composed of the garrisons of the places, of the cavalry, the artillery, the sick, and the equipment of the army. The first division shall embark within seven days of the date of the ratification, or sooner if possible.

(To be continued.)

Printed by Cox and Baylis, Great Queen Street; published by R. Bagshaw, Brydges Street, Covent Garden, where former Numbers may be had: sold also by J. Budd, Crown and Mitre, Pall-Mall